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| 10/586,287   | 09/29/2006  | Wei-Ping Chen        | WPTHOM9.001APC                  | 4155                        |
| 20995 7590 04/15/2010<br>KNOBBE MARTENS OLSON & BEAR LLP<br>2040 MAIN STREET<br>FOURTEENTH FLOOR<br>IRVINE, CA 92614 |             |                      | EXAMINER<br>LEE, RIP A          |                             |
|  |             |                      | ART UNIT<br>1796                | PAPER NUMBER                |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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Art Unit: 1796

*Attachment to Advisory Action*

This advisory action follows a response filed on March 22, 2010. Applicant has amended independent claim 44 to exclude an alternative embodiment,  $Q = CH(R^8)W(R^6)(R^7)$ , as a metallocene-based ligand. The proposed amendment raises new issues that would require further consideration and further search. Additionally, proposed amendment, in which six metallocene-based ligands of the prior art are excluded, raises the issue of new matter. Such a proviso was not described in the specification in such a way so as to reasonably convey to one skilled in the art that the inventors, at the time the application was filed, has possession of the claimed invention. See paragraph 2 of the final office action dated December 22, 2009 for elucidation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rip A. Lee whose telephone number is (571)272-1104. The examiner can be reached on Monday through Friday from 9:00 AM - 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu, can be reached at (571)272-1114. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rip A. Lee/  
Examiner, Art Unit 1796

April 1, 2010